

1 MEISELMAN, DENLEA, PACKMAN,
2 CARTON & EBERZ P.C.

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3 Jeffrey I. Carton (*pro hac vice*)
4 Jerome Noll (*pro hac vice*)
5 Christine M. Ford (*pro hac vice*)
6 1311 Mamaroneck Avenue
7 White Plains, New York 10605
8 (914) 517-5000

9 CALDWELL LESLIE & PROCTOR, PC
10 ROBYN C. CROWTHER, SBN 193840
11 Crowther@caldwell-leslie.com
12 ALBERT GIANG, SBN 224332
13 Giang@caldwell-leslie.com
14 1000 Wilshire Blvd., Suite 600
15 Los Angeles, California 90017-2463
16 Telephone: (213) 629-9040
17 Facsimile: (213) 629-9022

18 Attorneys for Plaintiffs
19 and all others similarly situated

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

REUBEN BERENBLAT, ANDREW
PERSONETTE, EARL C. SIMPSON,
LAURA MILLER, On behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

APPLE INC.,

Defendants.

Case No. C-08-04969 JF

STIPULATION AND ~~PROPOSED~~
ORDER REQUESTING
CONTINUANCE OF CASE
MANAGEMENT CONFERENCE

Pursuant to Local Rules 6-2, 7-12 and 16-2(e), the parties, by and through their
respective counsel, hereby stipulate and request as follows:

WHEREAS, Plaintiffs filed a First Amended Complaint on April 2, 2009;

WHEREAS, Defendant filed its Motion to Dismiss (the "Motion") on June 1, 2009;

WHEREAS, the Motion is currently noticed for hearing on August 14, 2009;

1 WHEREAS, in accordance with a Stipulation and Order dated February 26, 2009,
2 the Court scheduled a Case Management Conference for June 19, 2009;

3 WHEREAS, for the convenience of counsel and the Court the parties request that
4 the Case Management Conference and hearing on the Motion be held on the same date,
5 August 14, 2009;

6 WHEREAS, the continuance of the Case Management Conference will not affect
7 any other deadlines in this action;

8 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that, upon an
9 order from the Court as required under Local Rule 16-2(e), the Case Management
10 Conference currently scheduled for June 19, 2009 shall be continued to August 14, 2009.

11 Dated: June 4, 2009

Caldwell Leslie & Proctor, PC

13 By: /s/ Robyn C. Crowther
14 Robyn C. Crowther
15 Attorneys for Plaintiff

16 Dated: June 4, 2009

Morrison & Foerster LLP

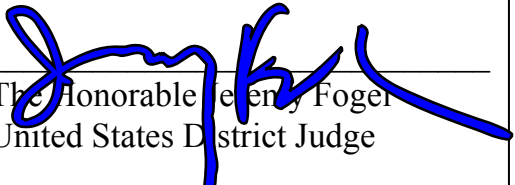
17 By: /s/ Andrew D. Muhlbach
18 Andrew D. Muhlbach
19 Attorneys for Defendant

20 *Filer's Attestation:* Pursuant to General Order No. 45.1, I, Robyn C. Crowther attest that I
21 obtained concurrence in the filing of this document from the other signatories.

22 **PROPOSED ORDER**

23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24 Dated: June 9, 2009

26 
27 The Honorable Jeremy Fogel
28 United States District Judge